

**Notice of Allowability**

Application No.

09/650,218

Examiner

Shin-Hon Chen

Applicant(s)

AVERY ET AL.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks filed on 6/13/05.
2. ☒ The allowed claim(s) is/are 1,3-12,14-18 and 26-30.
3. ☒ The drawings filed on 13 June 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20050817
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*SH*  
Primary Examiner  
AV 2131  
6/22/05

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Larry Johnson on 15 August 2005.

The application has been amended as follows:

2. Please cancel claims 2 and 13.

3. Please replace claim 1 with following:

1. (Currently Amended) An Internet co-location facility security system, comprising:

a plurality of biometrics readers;

an access control system coupled to the plurality of biometrics readers;

a computer including a central software program connected to the access control system, the central software program configured to monitor the use of the plurality of biometrics readers;

a server including a database connected to the central software program, the database configured to receive information from the central software program regarding the use of the plurality of biometrics readers by a visitor associated with a co-located member during a visit to the co-location facility, the server further

Art Unit: 2131

configured to transmit this information through the Internet to a web-based interface;

the web-based interface further configured to allow the co-located member, or the visitor associated with the co-located member, to schedule the visit to the co-location facility via the Internet; and

an input device coupled to each of the plurality of biometrics readers for entry of a visitor identification code of the visitor, wherein the access control system is configured to allow the visitor to gain access to designated areas in the facility upon a match between the visitor's identification code and the visitor's personal identification characteristics.

4. Please replace claim 3 with following:

3. (Currently Amended) The Internet co-location facility security system of Claim 1 wherein the access control system further includes a transmitter to transmit the information regarding the use of the plurality of biometrics readers to the central software program, the information regarding the use of the plurality of biometrics readers including the visitor identification code and the date and time the visitor used one or more of the plurality of biometrics readers.

5. Please replace claim 11 with following:

11. (Currently Amended) An Internet co-location facility security system, comprising:

an enrollment biometrics reader;

an enrollment system to enroll a first time visitor, the enrollment system including an input device coupled to the enrollment biometrics reader and configured to match a stored image of a personal characteristic corresponding to the first time visitor to an identification code entered into the enrollment biometrics reader and associated with the first time visitor, wherein the first time visitor is a non-enrolled co-located member, or a non-enrolled visitor associated with the non-enrolled co-located member;

an access control system coupled to the enrollment biometrics reader and to a plurality of other biometrics readers;

a computer including a central software program connected to the access control system, the central software program configured to monitor the use of the plurality of other biometrics readers;

a server including a database connected to the central software program, the database configured to receive information from the central software program regarding the use of the plurality of biometrics readers by an enrolled co-located member or an enrolled visitor associated with a co-located member during a visit to the co-location facility, the server further configured to transmit this information through the Internet to a web-based interface; and

the web-based interface further configured to allow either the enrolled or non-enrolled co-located member, or the enrolled or non-enrolled visitor associated with the enrolled or non-enrolled co-located member, to schedule the visit to the co-location facility via the Internet.

Art Unit: 2131

6. Please replace claim 12 with following:

12. (Currently Amended) The Internet co-location facility security system of Claim 11 further including an imaging device to record an image of a personal characteristic of the non-enrolled co-located member, or the non-enrolled visitor associated with the non-enrolled co-located member, the image of the personal characteristic stored on a storage device associated with the enrollment biometrics reader.

7. Please replace claim 14 with following:

14. (Currently Amended) The Internet co-location facility security system of Claim 12 wherein the enrollment biometrics reader transmits a stored image matched with a visitor identification code to the plurality of other biometrics readers located in the facility through a private security network.

8. Please replace claim 26 with following:

26. (Currently Amended) An Internet co-location facility security system, comprising:

a plurality of biometrics readers;

an access control system coupled to the plurality of biometrics readers;

a computer including a central software program connected to the access control system, the central software program configured to monitor the use of the plurality of biometrics readers by a visitor, wherein the visitor is a co-located member, or a visitor associated with the co-located member;

Art Unit: 2131

a web-based interface communicatively coupled to the computer and configured to allow the visitor to schedule a visit to the co-location facility through the Internet, wherein the visitor is a first time visitor or a previously enrolled visitor; and

an enrollment system to enroll the first time visitor, the enrollment system including an imaging device configured to match a stored image of one or more personal characteristics corresponding to the first time visitor to an identification code unique to the first time visitor and entered into an enrollment biometrics reader.

9. Please replace claim 27 with following:

27. (Currently Amended) The Internet co-location facility security system of Claim 26 further including a server communicatively coupled to a database, the server further communicatively coupled to the central software program, the server configured to receive information from the central software program regarding the use of the plurality of biometrics readers by the visitor and to transmit this information to the co-located member through a network.

***Allowable Subject Matter***

10. The following is an examiner's statement of reasons for allowance: The prior arts of record individually or in combination do not disclose scheduling visit to an Internet co-location facility through the Internet that allows the user to be verified using plurality of biometrics readers upon arrival at the co-location facility with visitor identification

Art Unit: 2131

generated during scheduling visit and biometrics data stored in database on the server in light of other features disclosed in independent claims 1, 11, and 26.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

11. Applicant's arguments, see pages 1-2, filed 6/13/05, with respect to 1, 3-12, 14-18 and 26-30 have been fully considered and are persuasive. The rejection of claims 1, 3-12, 14-18 and 26-30 has been withdrawn.

12. Applicant's Affidavit filed under 37 CFR 1.131 has been received on 6/13/05.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hoehn-Saric et al. U.S. Pat. No. 5915973 discloses system for administration of remotely-proctored, secure examinations and methods thereof.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.


Art Unit: 2131

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen  
Examiner  
Art Unit 2131

SC

  
Primary Examiner  
AU2131  
8/22/05